

1637

PATENT

Attorney Docket No. FORS-04447



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APR 1 2002

TECH CENTER 1600/2900

In re Application of: Michael W. KAISER *et al.*  
 Serial No.: 09/684,305  
 Filed: 10/06/00  
 Entitled: IMPROVED CLEAVAGE AGENTS

Group No: 1637  
 Examiner: Fredman

## AMENDMENT TRANSMITTAL

**BOX NON FEE AMENDMENT**  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: March 13, 2002

By:   
 Mary Ellen Waite

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

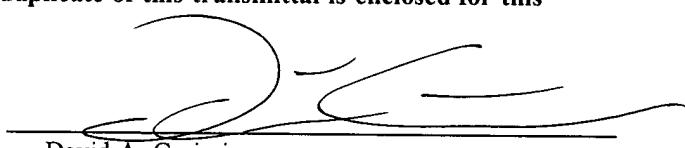
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	34	—	34	0	×	18.00	\$0.00
Independent Claims	3	—	3	0	×	80.00	\$0.00

**TOTAL DUE** 0.00

1. No additional fee is required.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: March 13, 2002

By:

  
 David A. Casimir  
 Registration No. 42,395

MEDLEN & CARROLL, LLP  
 101 Howard Street, Suite 350  
 San Francisco, California 94105  
 415/904-6500



MAD

Serial No.: \_\_\_\_\_

MC File No.: FORS - 4447

By: DAC  
MEN

In The Matter of the Application Of: KAISER et al.

Date Mailed: 10-6-00

Due Date:

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |  |                               |  |       |
|--|-------------------------------|--|-------|
| <input type="checkbox"/> Design Patent Application                       | Pages                         | <input type="checkbox"/> Trademark Application         | Pages |
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| <input type="checkbox"/> Prov. Patent Application                        | Pages                         | <input type="checkbox"/> Statement of Use              | Pages |
| <input checked="" type="checkbox"/> Utility Patent Application           | 340 Pages                     | <input type="checkbox"/> Trademark Renewal Application | Pages |
| <input checked="" type="checkbox"/> DIV                                  | <input type="checkbox"/> CONT | <input type="checkbox"/> Section 8 & 15 Affidavits     | Pages |
| <input type="checkbox"/> CIP   | <input type="checkbox"/> CPA  | <input type="checkbox"/> Specimens                     | Pages |
| <input checked="" type="checkbox"/> Declaration/Oath/Affidavits          |                               |  |       |
| <input checked="" type="checkbox"/> Drawings: 127 Sheet(s)               |                               |  |       |
| <input type="checkbox"/> Formal <input type="checkbox"/> Informal        |                               |  |       |
| <input checked="" type="checkbox"/> Power of Attorney <i>by Attorney</i> |                               |  |       |
| <input type="checkbox"/> Assignment                                      |                               |  |       |
| <input checked="" type="checkbox"/> Small Entity Declaration             |                               |  |       |
| <input checked="" type="checkbox"/> Amendment/Response <i>Prelim</i>     |                               |  |       |
| <input type="checkbox"/> Extension of Time Req.: _____ Month(s)          |                               |  |       |
| <input type="checkbox"/> Notice of Appeal                                |                               |  |       |
| <input type="checkbox"/> Appeal Brief                                    |                               |  |       |
| <input type="checkbox"/> Petition _____                                  |                               |  |       |
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- EX-658-777585 US*
- PCT Application \_\_\_\_\_ Pages
- Chapter II Demand
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- 09/684305*
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- 10/06/00*



PATENT  
Attorney Docket No. FORS-0447  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 1 2002

In re Application of: Kaiser *et al.*

Serial No.: 09/684,305

Filed: 10/06/00

Entitled: IMPROVED CLEAVAGE AGENTS

TECH CENTER 1600/2900  
Group No.: 1637  
Examiner: JN Fredman

## RESPONSE TO RESTRICTION REQUIREMENT MAILED FEBRUARY 21, 2002

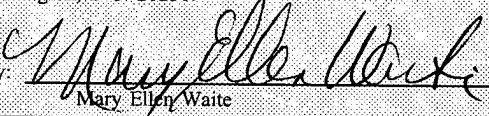
Assistant Commissioner for Patents  
Washington, D.C. 20231

### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Dated: March 13, 2002

By:

  
Mary Ellen Waite

Sir:

The following communication is responsive to the Restriction Requirement in the Office Action mailed February 21, 2002 for patent application serial number 09/684,305. Applicants note that the present restriction requirement is directed to Claims 1-52, which were cancelled in a preliminary amendment filed with the present application (attached hereto is a copy of the preliminary amendment and return receipt postcard showing receipt by the PTO). Therefore, Applicants are unable to respond to the Examiner's Restriction Requirement as none of the pending claims have been examined. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: March 13, 2002

  
David A. Casimir  
Registration No. 42,395

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94015



~~COPY OF PRE AMEND A~~

PATENT #6  
Attorney Docket No. FORS-04447

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In re Application of: Kaiser *et al.*

Serial No.:

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IMPROVED CLEAVAGE AGENTS

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: October 6, 2000

By:

Mary Ellen Waite

Sir:

The following communication is responsive to the Restriction Requirement in the Office Action mailed May 9, 2000 for patent application serial number 09/308,825. In the restriction requirement, the Examiner restricted the claims into three groups: Group I, Claims 1, 2, 6, 7, 22-26, and 46-52; Group II, Claims 3-5 and 8-21; and Group III, Claims 27-45. Applicants elected group I for prosecution with patent application serial number 09/308,825. The present Divisional Application is directed to the claims in Group III (*i.e.*, Claims 27-45).

**IN THE CLAIMS**

Please cancel Claims 1-52.

Please add the following claims:

53. A method for treating nucleic acid, comprising:

a) providing:

- i) a purified archaeal FEN-1 endonuclease; and
- ii) a nucleic acid substrate;